

PROB 12C  
(7/93)

**United States District Court  
for**

**District of New Jersey**

**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Lisa Montagna

Docket Number: 03-00786-001

PACTS Number: 37590

Name of Sentencing Judicial Officer: The Honorable Faith S. Hochberg, U.S.D.J.

Date of Original Sentence: 01/24/2005

Original Offense: Wire Fraud

Original Sentence: 37 months imprisonment; 3 years supervised release.

Type of Supervision: Supervised Release

Date Supervision Commenced: 11/09/07

Assistant U.S. Attorney: Mauro M. Wolfe, 970 Broad Street, Room 502, Newark, New Jersey 07102, (973) 645-2700

Defense Attorney: Michael Paul (Retained), 475 Main Street, 2<sup>nd</sup> Floor, Metuchen, New Jersey 08840, (732) 549-6543

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**PETITIONING THE COURT**

- ☐ To issue a warrant  
☒ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number    Nature of Noncompliance

- |   |  |
|---|--|
| 1 | The offender has violated the supervision condition which states 'As a condition of supervision, you are instructed to pay restitution in the amount of \$315,046.13 to Merricom Marketing, Inc., 440 Curry Avenue, Englewood, NJ 07631 and \$10,000 to Hartford Teleclaim Service Center, P.O. Box 2041, Aurora, Illinois 60507; it shall be paid in the following manner: in amounts of at least \$500 per month.' |
|---|--|

The offender was released from custody on November 9, 2007 and as of May 15, 2009, she has made only six (6) restitution payments, totaling \$350. The restitution balance is \$323,011.40, not including interest.

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2           The offender has violated the supervision condition which states 'You shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.'

On December 19, 2008, the undersigned officer met with the offender and confronted her about an allegation that she had incurred an excessive amount of credit card debt under her business, Circuit Marketing. The offender admitted she had incurred business related expenses on three separate credit card accounts. She admitted the accounts were obtained using her brother's identification and with his knowledge. She was instructed to provide all of the account statements from the time the credit cards were opened. She was most recently given a deadline of April 14, 2009 to submit these statements. As of May 27, 2009, only a portion of the account statements have been received from the offender.

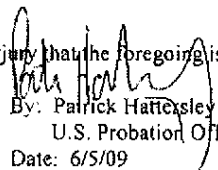
3           The offender has violated the supervision condition which states 'The defendant shall provide the U.S. Probation Office with full disclosure of her financial records to include yearly income tax returns upon the request of the U.S. Probation Office. The defendant shall cooperate with the probation officer in the investigation of her financial dealings and shall provide truthful monthly statements of her income.'

The offender has been instructed to submit all the credit card account statements associated with her business, Circuit Marketing. As of May 27, 2009, only a portion of the account statements have been received.

4           The offender has violated the supervision condition which states 'The defendant is prohibited from incurring any new credit charges or opening additional lines of credit without the approval of the probation officer, unless the defendant is in compliance with a payment schedule for any restitution obligation. The defendant shall not encumber or liquidate interest in any assets unless it is in direct service of the restitution obligation or otherwise has the express approval of the Court.'

The offender was ordered to pay at least \$500 per month toward restitution. She has fallen woefully short of meeting this obligation, meanwhile she has proceeded to open three (3) business credit cards and has accrued approximately \$40,000 in credit card debt.

I declare under penalty of perjury that the foregoing is true and correct.

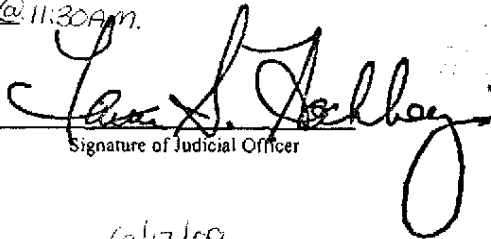
  
By: Patrick Hattiesley  
U.S. Probation Officer  
Date: 6/5/09

7/2

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THE COURT ORDERS:

- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons. Date of Hearing: 6/30/09 @ 11:30 AM.
- ☐ No Action
- ☐ Other

  
\_\_\_\_\_  
Signature of Judicial Officer

6/17/09  
\_\_\_\_\_  
Date